

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-15 remain in the application. Claims 1 and 9 have been amended.

In item 3 on pages 2-4 of the above-mentioned Office action, claims 1-3, 5-6, 8-11, and 15 have been rejected as being anticipated by Simeth (US Pat. No. 3,858,512, hereinafter "Simeth I") under 35 U.S.C. § 102(b).

The rejection has been noted and claims 1 and 9 have been amended in an effort to even more clearly define the invention of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

a clamping element co-operating with said upper clamping rail, said upper clamping rail being movable relative to said clamping element in a peripheral direction of the plate cylinder. (Emphasis added.)

Claim 9 calls for, inter alia:

moving the upper clamping rail in a guide relative to a co-operating clamping element in a peripheral direction of the plate cylinder and fixing the upper clamping rail in position in order to adjust the register element.
(Emphasis added.)

Simeth I shows a plate clamping device with a mounting bar 20 which is movable cross a cylinder groove 11. The mounting bar 20 carries an upper clamping rail 25. Register pins 28 are located both in the mounting bar 20 and in the upper clamping rail 25. Due to this reason the upper clamping rail 25 can only move in the clamping direction against the mounting bar 20 (see Fig. 1 of Simeth I). Therefore, it is only possible for the upper clamping rail 25 as well as the register pins 28 to move together with the mounting bar 20 in a peripheral direction.

The Examiner has cited column 2, lines 43-59 and column 5, lines 12-20 of Simeth I as showing that the upper clamping rail 25 is movable relative to the mounting bar 20. However, as can be clearly seen from Fig. 1 of Simeth I, the upper clamping rail 25 and the mounting bar 20 are connected together by clamping screws 27 and can only be adjusted by turning the screws 27. This is not the kind of movement in the sense of the invention of the instant application.

In contrast, according to the invention of the instant application, the upper clamping rail (13) is movable relative to the clamping element (24) in a peripheral direction shown by the double arrow (16) (see Figs. 1 and 3).

In addition, with regard to claim 2, the sliding guide 30 in Simeth I is disposed between the mounting bar 20 and the cylinder groove 11 whereas the sliding guide (14) according to the invention of the instant application is disposed between the upper clamping rail (13) and the cylinder groove.

Clearly, Simeth I does not show "a clamping element co-operating with said upper clamping rail, said upper clamping rail being movable relative to said clamping element in a peripheral direction of the plate cylinder", as recited in claim 1, and "moving the upper clamping rail in a guide relative to a co-operating clamping element in a peripheral direction of the plate cylinder and fixing the upper clamping rail in position in order to adjust the register element", as recited in claim 9 of the instant application.

Claims 1 and 9 are, therefore, believed to be patentable over Simeth I and since claims 2-3, 5-6, 8, 10-11, and 15 are dependent on claims 1 or 9, they are believed to be patentable as well.

In item 6 on pages 4-6 of the above-mentioned Office action, claims 4, 7, 12, and 14 have been rejected as being unpatentable over Simeth I in view of Simeth (US Pat. No. Re. 35,647, hereinafter "Simeth II") under 35 U.S.C. § 103(a).

As discussed above, claims 1 and 9 are believed to be patentable over the art. Since claims 4, 7, 12, and 14 are dependent on claims 1 or 9, they are believed to be patentable as well.

In item 7 on page 6 of the above-mentioned Office action, claim 13 has been rejected as being unpatentable over Simeth I in view of Evans (US Pat. No. 3,634,819) under 35 U.S.C. § 103(a).

As discussed above, claim 9 is believed to be patentable over the art. Since claim 13 is dependent on claim 9, it is believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-15 are solicited.

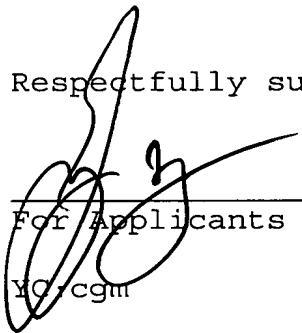
In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

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In the alternative, the entry of the amendment is requested as it is believed to place the application in better condition for appeal, without requiring extension of the field of search.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,


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